

REMARKS

Claims 1-28 and 30-32 are pending in the present application. Claims 1-28 and 30-32 have been rejected. Claims 1, 17, 20, 21, 28 and 32 are independent claims. Claims 1, 17, 20, 21, 28 and 32 have been amended. Applicant submits that all of the presently pending claims are in condition for allowance.

Claim Rejections – 35 USC § 103

The Examiner stated that claims 1-28 and 30-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Beauford (US Patent Application Pub. # 20050094796) in view of DeMent (US Patent Application Pub. # 20050117726). This rejection is respectfully traversed.

As indicated previously, claim 1 as previously presented, recites, in part, “receiving a location request return result message at a mobile switching center (MSC); responsive to receiving the location request return result message, transmitting an initial address message (IAM) to initiate seizure of an outgoing circuit and to provide call routing information to a personal ring back tone platform; responsive to transmitting the IAM, receiving an address complete message (ACM) including an optional backward call indicator parameter at the MSC; and receiving the personalized ring back tone from the personal ring back tone platform while normal call progress is occurring.”

As may be observed from the above-noted portions of claim 1, once the location request return message is received, the IAM message is transmitted to perform different functions. One function is to provide routing information to a personal ring back tone platform. Another function is to initiate seizure of an outgoing circuit. In other words, the circuit seizure operation

is performed responsive to the transmitted IAM message. Applicant submits that none of the references, alone or in combination, disclose, suggest or render obvious the above-noted features recited in claim 1.

In the rejection, the Examiner relied primarily on paragraph [0029] of Beauford with some additional references to paragraphs [0022], [0024] and [0034]. Applicant submits that these paragraphs and the remainder of Beauford's disclosure do not disclose the circuit seizure procedure explicitly recited in claim 1. Referring to the present application, FIG. 3 illustrates a call signaling diagram. The MSC 24 may include an "Original Dialed Number in the IAM for the PSTN call leg arriving at the personalized ring back tone platform 12." The PSTN call leg would require the digits (the Subscriber B Number) in the PSTN IAM call leg so that the personalized ring back tone service can operate. The MSC configuration will be changed to include the B number inside the IAM message.

A successful call flow 70 is illustrated in FIG. 3. In operation, a user's HLR 72, sends a location request return result (LOCREQ RR) message 76 to an MSC 24 which sends an IAM 78 to the personalized ring back tone platform 12. The platform 12 responds with an ACM including an OBCI parameter 80 or a CPG message including the OBCI parameter 82. This message 82 is sent from the personalized ring back tone platform 12 to the MSC 24 after an ACM without an OBCI parameter is returned. At this point, a personalized ring back tone leg is created between the calling party device and the platform 12.

As may be clearly observed from FIGS. 4-6 of the present application, the IAM message 78/86 is transmitted to the personalized ring back tone (PRBT) platform 12 or the network 74 to seize an outgoing circuit to establish a connection. The IAM message 78/86 is the cause of the

outgoing circuit seizure initiation procedure. The procedure of “transmitting an initial address message (IAM) to initiate seizure of an outgoing circuit” is not taught or suggested by Beauford.

Beauford is directed to a call device that sets a call category for a call to indicate that the call terminates at an announcement server prior to connection with a called communication device. Upon receipt of an answer message from the announcement server component, the call control component drops the answer message based on the call category. As noted above, the Examiner relied on paragraph [0029] of Beauford with some additional reliance on paragraphs [0022], [0024] and [0034] as allegedly providing support for the above-noted circuit seizure procedure of claim 1. Applicant strongly disagrees and submits that paragraphs [0022] and [0024] of Beauford do not even mention an IAM message. As for paragraph [0024], an IAM message 206 including a calling party number parameter is sent to an intelligent peripheral 106. The IAM message is further modified to include a RedirectingNumberDigits parameter and a calling party number parameter. There is no suggestion or teaching that such an IAM message is used to initiate seizure of an outgoing circuit. Furthermore, paragraph [0034] provides no additional support for the functions of an IAM message. Such IAM-specific functions recited in claim 1 are beyond the scope of Beauford.

Additionally, DeMent does not cure the deficiencies of Beauford with respect to the pending claims. DeMent does briefly mention that an ACM message may include an optional backward call indicator, however, there is no disclosure in DeMent of “receiving a location request return result message at a mobile switching center (MSC); responsive to receiving the location request return result message, transmitting an initial address message (IAM) to initiate seizure of an outgoing circuit and to provide call routing information to a personal ring back tone

platform; responsive to transmitting the IAM, receiving an address complete message (ACM) including an optional backward call indicator parameter at the MSC”, as recited in claim 1 and similarly recited in claims 17, 20, 21, 28 and 32.

Applicant respectfully does not agree that Beauford and DeMent teach, suggest or render obvious each of the limitations in the previously presented claims. However, purely in the interest of expediting the prosecution of the instant application, Applicant has amended the claims as outlined below. For example, claim 1 recites, as amended, “responsive to transmitting the IAM, receiving an address complete message (ACM) including an optional backward call indicator parameter at the MSC; accepting at least one call leg at the personal ring back tone platform; receiving the personalized ring back tone from the personal ring back tone platform while normal call progress of an active call is occurring; and playing the personalized ring back tone as an audible indicator during the normal call progress of the active call.” Similar features are recited in claims 17, 20, 21, 28 and 32. Applicant submits that the above-noted features of the independent claims are not taught by the combination of Beauford and DeMent. Each of the claims now recite details regarding the actions taken to initiate the ringback tone platform to play the ringback tone during an active call, and how the ring back tone platform initiates the ring back tone to be played on a particular call, channel and for a particular call leg. Beauford and DeMent do not disclose any details regarding the playing of the ring back tone during an active call and in the manner prescribed by the pending claims.

Accordingly, Beauford in combination with DeMent does not disclose all of the features recited in any of the pending independent claims 1, 17, 20, 21, 28 and 32. By virtue of

dependency, those claims dependent thereon are also allowable over Beauford and DeMent. Withdrawal of the rejection of claims 1-28 and 30-32 is kindly requested.

CONCLUSION

For the above reasons, the foregoing amendment and response places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact the undersigned.

	Respectfully submitted,
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